

# **Chevy Chase Village Board of Managers**

## **May 8, 2006**

### **BOARD OF MANAGERS**

Douglas B. Kamerow, Chair	Present
David L. Winstead, Vice Chair	Present
Susie Eig, Secretary	Present
Gail S. Feldman, Treasurer	Present
Betsy Stephens, Assistant Treasurer	Present
Peter M. Yeo, Board Member	Present
Robert L. Jones, Board Member	Present

### **STAFF**

David R. Podolsky, Legal Counsel	Present
Geoffrey B. Biddle, Village Manager	Present
Roy A. Gordon, Police Chief	Present
Shana R. Davis-Cook, Manager of Administration	Present
Michael W. Younes, Administrative Assistant	Present

Douglas B. Kamerow, Acting-Chair of the Chevy Chase Village Board of Managers, called the meeting to order at 7:30 p.m.

### **Swearing in of Board Members**

Dr. Kamerow administered the Oath of Office to Susie Eig, Robert L. Jones and Betsy Stephens.

### **Election of Officers**

**Mr. Yeo made a motion to nominate Douglas B. Kamerow as Chair, David L. Winstead as Vice Chair, Susie Eig as Secretary, Gail S. Feldman as Treasurer and Betsy Stephens as Assistant Treasurer of the Chevy Chase Village Board of Managers. Mr. Jones seconded the motion. Dr. Kamerow, Mr. Winstead, Ms. Eig, Ms. Feldman, Ms. Stephens, Mr. Yeo and Mr. Jones voted in favor of the motion. The motion passed.**

### **Swearing in of Chair**

Loretta Knight, Chief Deputy Clerk of the Circuit Court for Montgomery County, Maryland swore in Douglas B. Kamerow as Chair of the Board of Managers.

### **Approval of Minutes from the April 3, 2006 Board Meeting**

Ms. Eig submitted grammatical changes to the minutes from the April 3, 2006 Board of Managers meeting.

**Ms. Stephens made a motion to approve the minutes of the April 3, 2006 Board Meeting as amended. Mr. Winstead seconded the motion. Mr. Winstead, Ms. Eig, Ms. Feldman, Ms. Stephens and Mr. Yeo voted in favor of the motion. Dr. Kamerow did not vote as he was absent from the April 3, 2006 meeting. The motion passed.**

### **Treasurer's Report**

Copies of the Treasurer's report were distributed to the Board prior to the meeting. Discussion followed.

### **Committee Reports**

#### **Brookville Road Working Group**

Chair Douglas B. Kamerow stated that the Group and Village staff concluded that a 3-4' wide walkway was feasible along the east side of the roadway. Dr. Kamerow "walked" the Board through three problem areas where alterations along the east side might be necessary to accommodate a walkway due to existing physical obstacles. The Group determined a solution is possible if the Village would: 1) fund relocation of landscaping, fencing and other physical obstructions along the east side of the roadway south of Broad Branch Road; and 2) approval can be obtained from the State Highway Administration (SHA) to move the centerline of the roadway farther west, for which the Group hopes that the cost might be split between SHA and the Village. The Group suggested that the engineering firm of Rummel, Klepper & Kahl (RK&K) walk the roadway with SHA officials and Village staff. Mr. Winstead recommended requesting that RK&K draft a memo supporting the feasibility of the Group's walkway layout approach in advance of the walking tour with SHA.

Dr. Kamerow asked the Board for approval of the Group's Mission Statement, which was circulated to Board members prior to the meeting. Ms. Eig requested that the Mission Statement be changed to read as follows:

*"The Brookville Road Working Group was formed to advance the needs of pedestrian safety, comfort, and convenience along the Brookville Road corridor within Chevy Chase Village. The Working Group is acting to develop one or more design recommendations for roadway/rights of way modifications to support this objective.*

*A major focus will be to investigate possibilities for a delineated pedestrian walkway/sidewalk along the roadway's course between Western Avenue and Bradley Lane. Further recommendations might include traffic calming measures and additional or modified intersection controls. Proposals will be designed to encourage broad community support, to be compatible with the historic nature of the roadway and surrounding residential community and, ideally, to be eligible for Maryland State Highway Administration (SHA) funding support. Design recommendations will not be restricted to Brookville Road.*

*One or more design recommendations meeting the Working Group's objectives will be presented to the Board of Managers. One or more selected design proposals will be developed with professional engineering support and in sufficient detail to enable formal submission to*

*SHA for authorization or application for funding assistance. Final design proposals will be brought before the Board of Managers for approval.”*

**The amended statement was unanimously approved by the Board of Managers.**

#### **Decisions on Previous Appeals**

None.

#### **Appeals**

**A-5082: Mr. and Mrs. B. Francis Saul, II, 1 Quincy Street. Replace a six (6) foot high fence with a six and one half (6 ½) foot high vertical board fence along the property line abutting Bradley Lane.** The owners’ agent, Thomas Burke, was in attendance to present the owners’ request. He stated that in addition to the fence’s dilapidated condition, the owners seek replacement due to safety concerns. Discussion followed.

**Ms. Feldman made a motion to direct Counsel to draft a decision approving the replacement of a six (6) foot high fence with a six and one half (6 ½) foot high vertical board fence along the property line abutting Bradley Lane. Mr. Winstead seconded the motion. Dr. Kamerow, Mr. Winstead, Ms. Eig, Ms. Feldman, Ms. Stephens, Mr. Yeo and Mr. Jones voted in favor of the motion. The motion passed.** Mr. Burke asked for the decision to be expedited.

**A-5088: Mr. and Mrs. Paul Warren, 6301 Broad Branch Road. Install a gravel driveway on private property and in the public right-of-way, and to install a concrete apron entrance at the curbside.** Resident Paul Warren was in attendance to present his request. Paul Leventhal of 6303 Broad Branch Road was in attendance and stated his support for the request. He requested that the Warrens park their vehicles far enough from the street to avoid blocking sightlines for vehicles exiting the Leventhals’ driveway. Discussion followed.

**Ms. Stephens made a motion to direct Counsel to draft a decision approving the request to install a gravel driveway on private property and in the public right-of-way, and to install a concrete apron entrance at the curbside. Ms. Feldman seconded the motion. Dr. Kamerow, Mr. Winstead, Ms. Eig, Ms. Feldman, Ms. Stephens, Mr. Yeo and Mr. Jones voted in favor of the motion. The motion passed.**

#### **Old Business**

**Resolution No. 05-01-06: Amended Budget Approval. Resolution No. 05-02-06: A resolution levying a tax on certain real and personal property under the provisions of Section 6-203 of the Tax-Property Article of the Annotated Code of Maryland, as amended.** Mr. Biddle explained that the resolution setting tax rates passed at the Annual Meeting correctly specified the rate for real estate, but did not use the correct personal property rate. The Budget Committee recommended \$.66. The resolution cited \$.60. Passage of a corrected resolution was therefore required.

**The Board unanimously approved Resolution Nos. 05-01-06 and 05-02-06.**

**Contract Award—Janitorial Services**

Mr. Biddle recommended the Village enter into a contract with P&R Enterprises for janitorial services at the Village Hall beginning July 1, 2006 through June 30, 2009, including an option to extend the contract for up to two one-year periods. Mr. Biddle explained that P&R Enterprises also supplied support staff for the Halloween and Holiday parties.

**The Board unanimously approved the contract as presented.**

**New Business**

None.

**Chair's Report**

None.

**Manager's Report**

**Buffer Irrigation System:** Mr. Biddle explained that the plumbers contracted to install the Buffer irrigation system tap submitted a document to Mr. Biddle from the Washington Suburban Sanitary Commission (WSSC) requiring additional bonds for payment, performance and maintenance in the amount of \$27,000, despite WSSC's prior issuance of the required permits. Mr. Biddle stated that bonds totaling \$18,000 for payment and performance would be returned to the Village within 30 days of the project's completion, with the remaining \$9,000 bond for maintenance to be returned one year after completion of the project. Mr. Biddle stated that the plumbers could connect the irrigation system to a nearby fire hydrant as a temporary solution until Mr. Biddle and Village Counsel can coordinate on the correct execution of these bonds and that Board approval would be sought before the next Board meeting via email.

**Emergency Preparedness:** Mr. Biddle explained that in order to receive reparation money in the event the Village is deemed a disaster area following a hurricane or other natural disaster, the Village must sign into the Montgomery County Multi-Hazard Mitigation Plan. Village Counsel will need to draft a resolution to that effect. The Board authorized Village Counsel to draft a resolution entering the Village into the Montgomery County Multi-Hazard Mitigation Plan.

**Wohlfarth Property:** Mr. Biddle explained that he was approached by Diane Kartalia of 5412 Grove Street with the idea of forming a Wohlfarth Property Working Group to establish the Village's position on the desired eventual use and operation of the property. Dr. Kamerow asked Mr. Biddle to begin soliciting members for this Group from the west and east sides of the Village, including members of the Board and residents along Grove Street. Discussion followed.

**Conference Room:** Mr. Biddle stated that Village contractor John Huffstetler came across substandard structure and wiring during the demolition phase of the old administrative office renovation. He stated that while the project had not yet grown in cost, it had grown in scope because Mr. Huffstetler needed to remove more existing structure and wiring than was originally anticipated.

**Chevy Chase Center:** Mr. Biddle stated that a meeting had not yet been set for himself, Village Counsel, Counsel for the Chevy Chase Land Company (Land Company) and David Smith of the Land Company to discuss the blasting damage settlement.

### **Police Report**

Copies of the Police Report were distributed to the Board prior to the meeting.

### **Speed Camera Discussion**

Chief Gordon explained that he had spoken with several vendors, one of which had begun collecting speed and volume data for one lane of southbound traffic on Connecticut Avenue. He stated that there will be costs for the installation of two cameras, one northbound and the other southbound on Connecticut Avenue. Chief Gordon stated that the program's goal was not to make money, but to change driving habits. The firm will be responsible for installing and maintaining the equipment, with the Village paying a specified amount per month for the firm's services. The violation data would then be submitted to the Village via the internet, at which time the Village would either authorize or reject the issuance of a citation. He stated that additional staff would be required to monitor the data and respond to the firm with the tags to which citations should be issued. The firm would send a citation to the vehicle's owner and would also handle collections for nonpayment. The Motor Vehicle Administration would flag the tags so that they could not be renewed until any citations due were paid. Payments would be made to the Montgomery County Division of Finance, which would return a portion of the revenue to the jurisdiction in which the camera was located. The State law requires that the revenue generated be used toward traffic and pedestrian safety measures within the issuing jurisdiction. The County will select one firm to administer the program County-wide. Chief Gordon stated that the cameras could also be used along Brookville Road.

Chief Gordon explained that the data collected thus far indicates that the number of violations will pay for the cameras and generate substantial revenue; however the Village must determine how it will administer the program. Chief Gordon anticipated that the program would begin during October 2006. The law requires that only warnings be issued for the first 30 days following the start of the program. Discussion followed.

**Mr. Yeo made a motion to adjourn the open meeting to convene in Executive Session to discuss obtain advice from Legal Counsel regarding the Village's legal position relating to the installation of fiber optic cables within the Village. Ms. Eig seconded the motion. Dr. Kamerow, Mr. Winstead, Ms. Eig, Ms. Feldman, Ms. Stephens, Mr. Yeo and Mr. Jones voted in favor of the motion. The motion passed. The open meeting adjourned at 9:23 p.m.**

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Secretary, Chevy Chase Village Board of Managers

*Final.*